

CLASSIFICATION OFFICE DECISION

Title of publication: IMG_6298.JPG

Other known title(s): Not stated

OFLC ref: 1900203.051

Medium: Image File

Publisher: Not stated

Country of origin: Not stated

Language: Not applicable

Applicant: Commissioner of Police

Classification: Objectionable.

Descriptive note: None

Display conditions: None

Date of entry in Register: 22 July 2019

Date of direction to issue a label: No direction to issue a label has been issued

Date of notice of decision: 22 July 2019

Summary of reasons for decision:

The publication is deemed objectionable because it promotes and supports the use of violence to compel participation in or submission to sexual activity. The publication is a sexualised image of a young boy who is bound and gagged. There is no alternate reading of the image other than it is intended for the sexual arousal of those with a prurient interest in children. It supports and encourages the notion that young people are legitimate subjects for adult sexual arousal. This classification interferes with the right to freedom of expression as provided by the New Zealand Bill of Rights Act 1990. However, the classification is consistent with Parliament's intention that publications falling under s3(2)(b) of the FVPC Act are deemed objectionable. This is a reasonable limitation on the freedom of expression that reflects the concern of a free and democratic society to protect its young from exploitation and harm.